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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,907	02/20/2004	Danny D. Mahoney	4355	7144

7590 07/22/2004
Harris Zimmerman
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1330 Broadway
Oakland, CA 94612

EXAMINER

SANTOS, ROBERT G

ART UNIT	PAPER NUMBER
3673	

3673

DATE MAILED: 07/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/783,907	Applicant(s) MAHONEY, DANNY D.
	Examiner Robert G. Santos	Art Unit 3673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 20 February 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-15 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 5-9, 12, 14 and 15 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Strobel '792 (note especially Figures 1 & 2 and column 2, lines 5-57).

Claims 1-4, 8 and 9 rejected under 35 U.S.C. 102(b) as being clearly anticipated by Hayes '811 (note especially Figures 1 & 2 and column 2, lines 39-47).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hayes '811 in view of Davis '291. Hayes '811 does not specifically disclose a condition wherein the at least one seam is a stitched seam. Davis '291 provides the basic teaching

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of an inflatable support article comprised of a plurality of components (137a, 137b, 139, 143a, 143b, 153) formed of sheet material and joined together by a stitched seam (145a, 145b). The skilled artisan would have found it obvious at the time the invention was made to provide the mattress construction of Hayes '811 with at least one seam which is a stitched seam since the use of this type of seam for attaching together the sheet material components of an inflatable support article is well-known in the art as taught by Davis '291.

Claims 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayes '811 in view of Davis '291 as applied to claim 10 above, and further in view of Wilhelm '412. Hayes '811, as modified by Davis '291, does not specifically disclose a condition wherein the at least one seam is heat sealed. Wilhelm '412 provides the basic teaching of inflatable support article comprised of a plurality of components (1, 2) formed of sheet material and joined together by a peripheral weld seam (3). The skilled artisan would have found it obvious at the time the invention was made to provide the mattress construction of Hayes '811, as modified by Davis '291, with at least one seam which is heat sealed in order to provide an alternative conventional means for joining the sheet material components together. As concerns claim 13, Hayes '811 further teaches the use of interior support features (3) within the pressure-retaining enclosed envelope (1), the interior support features being formed of transparent material (as described in column 2, lines 41 & 42).

Conclusion

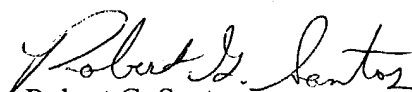
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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Huang '865, Lin '222, Huang '240, Graf '055, Jordan '384, West '559, Boyd '761, Lee '715, Johnson, Sr. '998 and Barbulla '518.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert G. Santos whose telephone number is (703) 308-7469. The examiner can normally be reached on Tues-Fr and first Mondays, 10:30 a.m. to 8:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather C. Shackelford can be reached on (703) 308-2978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Robert G. Santos
Primary Examiner
Art Unit 3673

R.S.
July 20, 2004